REMARKS

Claims 1-21 are all the claims pending in the Application. By this Amendment, Applicant amends claims 1, 6, 11, and 12 to further clarify the invention. In addition, in order to provide more varied protection, Applicant adds claims 19-21. Claims 19-21 are clearly supported throughout the specification.

Preliminary Matter

The Examiner has previously returned the initialed PTO/SB/08 for the Information Disclosure Statement filed on August 11, 2003. However, it is noted that the Examiner did not initial the reference listed in the "Non Patent Literature Section" of the PTO/SB/08. The Examiner is respectfully requested to return a completely initialed PTO/SB/08 with the next paper from the Office.

It is also noted that the Examiner has previously acknowledged Applicant's claim to foreign priority, but has not indicated receipt of the certified copy of the Priority Document filed on January 29, 2001. The Examiner is respectfully requested to indicate receipt of the certified copy of the Priority Document in the next paper from the Office.

Summary of the Office Action

Claims 1, 2, 4-7, and 9-15 stand rejected as being anticipated by U.S. Patent No. 6,230,170 to Zellweger et al. (hereinafter "Zellweger"). Claims 3 and 8 stand rejected as being obvious over Zellweger in view of U.S. Patent No. 6,426,761 to Kanevsky et al. (hereinafter "Kanevsky"). Claims 16-18 stand rejected as being obvious over Zellweger in view of U.S. Patent No. 5,230,063 to Hoeber et al. (hereinafter "Hoeber").

Claim Rejections

The Examiner rejected claims 1, 2, 4-7, and 9-15 under 35 U.S.C. § 102(e) as being anticipated by Zellweger, claims 3 and 8 as being obvious over Zellweger in view of Kanevsky, and claims 16-18 as being obvious over Zellweger in view of Hoeber. Applicant respectfully traverses these rejections in view of the following comments.

Independent claim 1, among a number of unique features recites: "wherein each of the plurality of elements comprises at least one sub-element that the user can manipulate and that relates to a setting of a device." The Examiner alleges that claim 1 is anticipated by Zellweger. In particular, the Examiner alleges that expansion of an annotation is an element that the user can manipulate (see pages 3 and 8 of the Office Action). Even assuming *arguendo* that manipulating a sub-element can somehow be equated to clicking and expanding annotation, in Zellweger, there is no teaching or suggest of the sub-element being related to a setting of a device.

Zellweger only teaches having a primary text with annotation tags, where the text of the annotation tag is viewed by simply placing a cursor over the tag. In particular, Zellweger teaches having a text sample 140 that includes text 142 having a star shaped symbols annotation tags 144. When a user selects a tag 144, the system calculates the amount of space required for displaying the annotation text and reduces, decreases the size of the main text to make room for the annotation. Annotation is displayed and the main text is displayed on the screen in a reduced size (Figs. 11 and 12; col. 11, line 22 to col. 12, line 32). The annotation provides the supporting text, which is a definition and/or a literary comment related to the main text.

Moreover, Zellweger teaches a textual representation that supports multiple nesting links functioning as an enhanced hypertext. For example, selection of annotation tag causes the text to

move apart and accommodate presentation of a multiple link. Moreover, selection of one of the links opens yet another link related to the first link. The multiple link 214 still remains in view, preserving context during search of the multiple link (Figs. 23 and 24; col. 13, line 8 to col. 14, line 20).

Zellweger, however, fails to teach or suggest the annotations being related to a setting of a device. That is, Zellweger only discloses the expansion of the text is for facilitating visualization of a small image, small text, hidden text, and the like. In other words, Zellweger only teaches providing the user with additional literary information for reading. In Zellweger, when a tag is selected, for example, a literary annotation for reading is provided. This annotation, however, does not relate to setting a device. In short, in Zellweger, there is no teaching or suggestion of a sub-element that relates to a setting of a device. Zellweger teaches providing addition text or image that includes additional literary information. In Zellweger, there is no teaching or suggestion that the annotations provided relate to a setting of a device.

Therefore, "wherein each of the plurality of elements comprises at least one sub-element that the user can manipulate and that relates to a setting of a device," as set forth in claim 1 is not anticipated (and is not obvious over) Zellweger, which only provides additional literary information and lacks having a sub-element that relates to a setting of a device. For at least this exemplary reason, independent claim 1 is patentably distinguishable from (and is patentable over) Zellweger. Therefore, it is appropriate and necessary for the Examiner to withdraw this rejection of claim 1. Claims 2, 4, and 5 are patentable at least by virtue of their dependency on claim 1.

Claims 6, 11, and 12 recite similar features to the features argued above with respect to claim 1. Since claims 6, 11, and 12 contain features that are similar to the features argued above with respect to claim 1, those arguments are respectfully submitted to apply with equal force here. For at least substantially analogous reasons, claims 6, 11, and 12 are patentably distinguishable from (and are patentable over) Zellweger. Moreover, claims 7, 9, and 10 are patentable at least by virtue of their dependency on claim 6, and claims 13-15 are patentable at least by virtue of their dependency on claim 12.

Claims 3 and 8 depend on claims 1 and 6, respectively. In particular, dependent claims 3 and 8 stand rejected under 35 U.S.C. § 103(a) as being obvious over Zellweger in view of Kanevsky. It was already demonstrated that Zellweger does not meet all the requirements of independent claim 1. Kanevsky is relied upon only for its teaching of adjusting the size of the display areas. Clearly, Kanevsky does not cure the deficient teachings of Zellweger.

Moreover, one of ordinary skill in the art would not have been motivated to combine the references in a manner suggested by the Examiner. Zellweger relates to displaying supporting annotations along with the main text. The level of the annotation is displayed to the user by indenting or by positioning the annotation text and not by adjusting the size of the text. For example, in Zellweger, the main text is displayed without any indentation; the first level of supporting text (annotation) is displayed with a one indentation; the second level with an additional level of indentation and so on, whereas the size is only adjusted to make room for the additional supporting text that needs to be displayed. Kanevsky, on the other hand, arranges icons based on relatedness. One of ordinary skill in the art, confronted with a problem of

improving the representation of supporting text (annotations) would not have turned to Kanevsky's teachings of arranging icons. Different considerations should be addressed when designing a display for presenting text versus menu icons. In other words, one of ordinary skill in the art would not have been motivated to modify Zellweger's teachings by Kanevsky's teachings of fractal arrangements to show relatedness.

In response to this argument, the Examiner alleges that Kanevsky provides motivation for including his method of arranging icons (see page 9 of the Office Action). For support, the Examiner cites col. 1, lines 32 to 50, which only state that it is desirable to generate graphical user interface displays that automatically organize, nest, and cluster icons, windows, web links, and text according to user-specified criteria and in a manner so that relatedness of information represented by items in the cluster may be easily understood. Zellweger, however, already organizes annotations in a number of nested links. The Examiner fails to explain why one of ordinary skill in the art would turn to Kanevsky that discloses arrangement of icons. Moreover, the Examiner fails to explain why one of ordinary skill in the art would modify the system of Zellweger, which already organizes annotations in nested links by the Kanevsky's arrangement of icons. The Examiner has not provided the necessary motivation for combining the two references. Indeed, one of ordinary skill in the art would not have been motivated to combine these references.

Clearly, Kanevsky does not compensate for the above-identified deficiencies of Zellweger. Together, the combined teachings of these references would not have (and could not have) led the artisan of ordinary skill to have achieved the subject matter of claims 1 and 6.

Since claims 3 and 8 are dependent upon claim 1 and 6, respectively, they are patentable at least by virtue of their dependency.

Finally, dependent claims 16-18 stand rejected as being obvious over Zellweger in view of Hoeber. Claims 16-18 depend on claims 12, 1, and 6, respectively. It was already demonstrated that Zellweger fails to teach or suggest all the recitations of the independent claims 1, 6, and 12. Hoeber is only cited for its teaching of a push pin and as such clearly fails to cure the deficient teachings of Zellweger. Therefore, claims 16-18 are patentable at least by virtue of their dependency on claims 12, 1, and 6, respectively.

Moreover, claim 16 is patentable for at least the following additional reason. Dependent claim 16 recites: "piercing a setting pin to a display area corresponding to an element thereby preventing enlargement and reduction of said display area upon further selections." The Examiner acknowledges that Zellweger does not teach or suggest a piercing pin as set forth in claim 16 (see page 8 of the Office Action). The Examiner, however, alleges that Hoeber cures the deficient teachings of Zellweger. Specifically, the Examiner alleges that since the menu window 120 is depicted in Fig. 3C without the resizing corners 90-93, it cannot be resized. Hodges, however, discloses that "the menu 120 may be manipulated on the display like any other window" (col. 7, lines 41 to 48). Manipulation of other windows, *e.g.*, the window 80, includes resizing. In other words, in Hoeber, the pinning of the window only prevents the window from disappearing from the display. In Hoeber, however, this menu window 120 can still be resized. In short, Hoeber fails to cure the deficient teachings of Zellweger. For at least this additional reason, it is appropriate and necessary for the Examiner to withdraw this rejection of claim 16.

New Claims

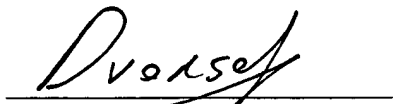
In order to provide more varied protection, Applicant adds claims 19-21. Claims 19-21 are patentable at least by virtue of their dependency on claim 1.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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